

0010/PTO Rev. 6/95 U.S. Department of Commerce Patent and Trademark Office COMBINED DECLARATION (37 CFR 1.63) AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Attorney Docket Number</td> <td>23340-08598</td> </tr> <tr> <td>First Named Inventor</td> <td>Shaoher X. Pan</td> </tr> <tr> <td colspan="2" style="text-align: center;"><i>COMPLETE IF KNOWN</i></td> </tr> <tr> <td>Application Number</td> <td>Not yet known</td> </tr> <tr> <td>Filing Date</td> <td>Not yet known</td> </tr> <tr> <td>Group Art Unit</td> <td>Not yet known</td> </tr> <tr> <td>Examiner Name</td> <td>Not yet known</td> </tr> </table>	Attorney Docket Number	23340-08598	First Named Inventor	Shaoher X. Pan	<i>COMPLETE IF KNOWN</i>		Application Number	Not yet known	Filing Date	Not yet known	Group Art Unit	Not yet known	Examiner Name	Not yet known
Attorney Docket Number	23340-08598														
First Named Inventor	Shaoher X. Pan														
<i>COMPLETE IF KNOWN</i>															
Application Number	Not yet known														
Filing Date	Not yet known														
Group Art Unit	Not yet known														
Examiner Name	Not yet known														

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FABRICATION OF A REFLECTIVE SPATIAL LIGHT MODULATOR

the specification of which *(Title of the Invention)*

☒ is attached hereto

OR

☐ was filed on _____ as United States Application Number _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations. § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
			<input type="checkbox"/>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

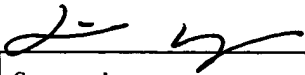
☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:


I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/390,389	06-19-2002	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental sheet attached hereto.

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DECLARATION				Page 2	
<p>I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.</p>					
U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)		
10/378,041		02/27/2003			
<input type="checkbox"/> Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.					
<p>As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:</p>					
Name	Registration Number	Name	Registration Number		
Greg T. Sueoka	33,800	Jennifer R. Johnson	50,784		
<input type="checkbox"/> Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.					
<p>Please direct all correspondence to:</p> <p style="text-align: center;"> Jennifer R. Johnson Fenwick & West LLP Silicon Valley Center 801 California Street Mountain View, CA 94041 U.S.A. </p>					
Telephone	(650) 335-7213		Fax	(650) 938-5200	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>					
Name of Sole or First Inventor:		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	Shaoher	Middle Initial	X	Family Name	Pan
Inventor's Signature	-- Nonsigning inventor – completed add-on page --			Date	
Residence: City	San Jose	State	CA	Country	USA
Mailing Address	1133 Kelez Drive				
Mailing Address					
City	San Jose	State	CA	Zip	95120
				Country	USA
<input checked="" type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto					

DECLARATION				ADDITIONAL INVENTOR(S) Supplemental Sheet			
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Xiao	Middle Initial		Family Name	Yang	Suffix	
Inventor's Signature					Date	1/9/04	
Residence: City	Sunnyvale	State	CA	Country	USA	Citizenship	China
Mailing Address	902 Rockefeller Dr., #5A						
Mailing Address							
City	Sunnyvale	State	CA	Zip	94087	Country	USA

DECLARATION				ADDITIONAL INVENTOR(S) Supplemental Sheet			
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Dongmin	Middle Initial		Family Name	Chen	Suffix	
Inventor's Signature					Date	1/9/2004	
Residence: City	Belmont	State	MA	Country	USA	Citizenship	USA
Mailing Address	15 Stone Road						
Mailing Address							
City	Belmont	State	MA	Zip	02478	Country	USA

**ADDED PAGE TO COMBINED DECLARATION FOR SIGNATURE BY
PERSON WITH SUFFICIENT PROPRIETARY INTEREST WHERE NO
INVENTOR IS AVAILABLE TO SIGN AND ON BEHALF OF ALL THE
INVENTOR(S) WHO REFUSE(S) TO SIGN OR CANNOT BE REACHED (37
C.F.R. § 1.47(b))**

I, Dongmin Chen, on behalf of Miradia, Inc., hereby declare that:

1. I am a citizen of the United States residing at

15 Stone Road
Belmont, MA 02478

2. I

☐ am a person with sufficient proprietary interest.

☒ am authorized by the following person or juristic entity with
sufficient proprietary interest,

Miradia, Inc.
2880 Lakeside Drive, Suite 260
Santa Clara, California 95054
Director of Microsystems Technology

3. By virtue of this proprietary interest, I sign this declaration on behalf of,

and as agent for:

Shaoher X. Pan who

☒ refused to sign.

☐ cannot be found or reached.

Citizen of the United States

Last known address: 1133 Kelez Drive
San Jose, California 95120

4. Upon information and belief, I aver those facts that the inventor is required to state, 37 C.F.R. § 1.64(b).

5. Accompanying this declaration is:

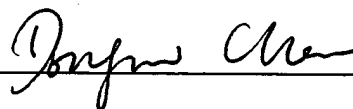
(1) A STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING INVENTOR,

(2) A STATEMENT BY PERSON SIGNING ON BEHALF OF NONSIGNING INVENTOR ESTABLISHING PROPRIETARY INTEREST,

to establish the proof of pertinent facts, and to show that such action is necessary to preserve the rights of the parties or to prevent irreparable damage, and

(3) the petition fee of \$ 130.00. (37 C.F.R. § 1.17(i))

Dated: January 9, 2004

By: 

Dongmin Chen
VP of Engineering and CFO
Miradia, Inc.
2880 Lakeside Drive, Suite 260
Santa Clara, CA 95054